

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 06 JUL 2004

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Applicant's or agent's file reference JMC:SP:FP17590	FOR FURTHER ACTION	See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416).
International Application No. PCT/AU2003/000343	International Filing Date (day/month/year) 21 March 2003	Priority Date (day/month/year) 22 March 2002
International Patent Classification (IPC) or national classification and IPC Int. Cl. ⁷ B60S 13/00, 13/02; B66F 7/06, 19/00; B60B 33/06; B64F 1/24		
Applicant CARTER, William, Shane		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of sheet(s).

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☒ Certain observations on the international application

Date of submission of the demand 20 October 2003	Date of completion of the report 29 June 2004
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaustalia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer L. DESECAR Telephone No. (02) 6283 2381

I. Basis of the report**1. With regard to the elements of the international application:***

- ☒ the international application as originally filed.
- ☐ the description, pages , as originally filed,
pages , filed with the demand,
pages received on with the letter of
- ☐ the claims, pages , as originally filed,
pages , as amended (together with any statement) under Article 19,
pages , filed with the demand,
pages received on with the letter of
- ☐ the drawings, pages , as originally filed,
pages , filed with the demand,
pages received on with the letter of
- ☐ the sequence listing part of the description:
pages , as originally filed
pages , filed with the demand
pages , received on with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished

4. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages
- ☐ the claims, Nos.
- ☐ the drawings, sheets/fig.

5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

** Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. Statement**

Novelty (N)	Claims 36-40	YES
	Claims 1-35, 41-42	NO
Inventive step (IS)	Claims 36-40	YES
	Claims 1-35, 41-42	NO
Industrial applicability (IA)	Claims 1-42	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)**NOVELTY (N) Claims 1-35, 41-42:**

(a) EP 290040 B1 1-35

(b) US 3527470 A 1-3, 41-42

Each of the above documents also cited in the corresponding international search report discloses all of the features of the claims identified alongside.

Claim 1:

For example document (a) see column 2 line to column 4 line 43 and Figures 1-8, wherein it clearly discloses a wheel arrangement involving the features as defined and in particular a first and second support arrangement, a fixed framework member (3), a movable support (21) having a wheel (11), the first and second support arrangement located transversely to each other, the movable support moving with respect to the fixed framework member.

Claims 2-3:

The features of these claims are similarly disclosed in the document (a), see as at claim 1.

Claims 4-35:

The additional features introduced by these claims are similarly disclosed in document (a) for example:

- | | |
|------------------------------------|--|
| - operating member | see column 3 line 46 Figure 3 item 41 |
| - a castor wheel assembly | see column 3 lines 16-17 Figure 3 item 10 |
| - a roller means | see column 3 line 29-31 Figure 3 items 31-32 |
| - in hight adjustable caster wheel | see column 2 line 55-58 Figure 1 items 3, 9-11 |
| - castor movement 360 degree | see column 3 line 6-11 Figures 1, 3 items 11, 13 |

Claims 41-42:

The additional features introduced by these claims are disclosed in document (b) for example:

See Supplemental Box

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claim 1 is not clear because there is no antecedent for "the moveable support member" in line 12 of the claim.

Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of

- four identical wheel arrangements

see column 4 line 58 to column 5 line 37 items 34, 36, 38, 40.

INVENTIVE STEP (IS) Claims 1-35, 41-42:

Claims 1-35, 41-42: As above.